



**City Council
Regular Meeting Minutes
January 15, 2013
Trinity City Hall Annex
Trinity, NC
7:00 p.m.**

Members Present: Mayor Carlton Boyles; Karen Bridges, Linda Gantt, Ed Lohr, Tommy Johnson, Debbie Frazier, Chester Ayers, Barry Lambeth and Kristin Varner.

Others Present: City Manager Debbie Hinson; Rich Baker, Utilities and Public Works, Director; Lisa Beam, Assistant Finance Officer, Annette de Ruyter Assistant City Clerk; members of Media; and members of the audience.

- **Call to Order**

Mayor Boyles called the meeting to order at 7:05 p.m.

Prior to Opening the meeting with the Pledge, Mayor Boyles took time to share the following facts with residents that may have come to speak on an action that took place at a prior meeting.

He shared in discussion two (2) items. He began by informing those present “that Trinity was not in trouble.” “There was a difference in opinion that he felt got out of hand that came about when he visited the Randolph County Commissioners website and downloaded their speaker requirements.”

Issue (1): The first issue dealt with persons coming before our Council to campaign for office or to speak in support of candidates for office. Since that issue has happened at a prior Council Meeting and the City had no policy to address this, Mayor Boyles researched the policy used by the Randolph County Commissioners. Their policy does not allow people to come and campaign for office. Mayor Boyles felt this policy was something that Council might want to consider. The only change made by the Mayor was an increase in the time limit allowed for public speaking from 15 minutes to 45 minutes.

Mayor Boyles informed those present there was never any intent to limit speaking time for any citizen. This document was presented to Council at an earlier meeting for discussion and at that time Council asked him to merge the two (2) policies together. What was in the newspaper was a result of the two (2) documents being merged. The revised or merged document was not prepared for a vote of Council but rather to be discussed as a Retreat Topic in March, 2013.

Issue (2): The second issue dealt with Mayor Boyles past actions in regards to committee appointments. He shared with those present his research concerning his past actions as Mayor in regards to committee

appointments. He stated “I have no agenda except to put people in positions that will do the business of this City and to do it in a very professional way”.

Mayor Boyles discussed his decision to appoint newly elected Council members after the 2011 election when three (3) new council members were elected and one (1) re-election occurred and why he chose to place new members on the committees. He did so because he knew these committees had a strong Chairman and to allow the new members of Council to become familiar with the City so that they would be better prepared to answer questions or problems presented to them by residents. Mayor Boyles discussed the purpose of committees stating “these committees are advisory boards that have to come back to Council with everything they do.” Council then considers and votes on using the information provided. It was the Mayor’s opinion this was the way we should work together.

He discussed how prior requests to change appointments he had made were accomplished and explained that Kelly Grooms and Barry Lambeth asked him to switch their appointments since they both felt that their expertise were in different areas due to the nature of their business. That change was made the same night in a Council meeting such as the meeting that was being held tonight.

He discussed the possible loss of revenues from the Hold Harmless Tax as well as the impact it would have on the City Budget and how this influenced his decision for committee appointments. It was his opinion that the City needed to have the strongest committees that we could and this was his agenda.

In closing, he discussed a request that he had received today from one of the Council members concerning the appointments to committees he had made. Mayor Boyles said that he would honor the request that was made if that member did not want to serve in the capacity that he had placed them in.

At this time, Mayor Boyles continued with the Meeting Agenda.

- **Pledge of Allegiance**

Mayor Boyles led the Pledge of Allegiance.

- **Invocation**

The invocation was given by Council member Lambeth.

- **Welcome guests and Visitors**

Mayor Boyles welcomed all visitors and asked the audience to join him in recognizing a special guest, Representative Pat Hurley who was in attendance at the meeting.

- A. Review, Amend, and Approve Agenda**

Mayor Boyles opened this item and advised Council that the City Manager had requested the Agenda be amended to *remove the Consent Agenda Items from this agenda*.

He asked Council to review, amend, and approve the Agenda with changes as needed.

Motion by Council member Bridges to approve the agenda with the removal of the Consent Agenda Items, seconded by Council member Johnson, and approved unanimously by all Council members present.

Public Comments

Brenda Treadway, 4739 Oakwood Drive; Ms. Treadway expressed her concerns on the ordinance concerning farm animals and asked that someone define farm animals. She discussed one of her neighbors that owned 13 pit bulldogs, (10 puppies and 2 dogs), chickens, and a pot belly pig. I have been told that all of these animals are pets. These animals are confined in an approximate 16 X 80 lot that abuts my property and is close to my back porch. The odor from the animals is unbearable in the summer.

The current owner has lived there for 2 years and they are not grandfathered.

She wanted to bring her concerns to the attention of Council in an effort to have farm animals defined and see if the City Ordinances could be made clearer. She advised Council that Mr. Baker had made every effort to help her with this matter and thanked him for all of his assistance in trying to help her with this problem.

Mr. Baker discussed with Council members a visit he had made to Ms. Treadway's. At that time it was cool and the odor problem was not present. The City of Trinity does have a Nuisance Ordinance that does include foul odors. If we can establish a nice day when the foul odors are present we can get animal control out to this location.

Mr. Baker discussed with Council the difficulty with addressing every specific item through the Ordinance.

Council member Gantt discussed the issues raised concerning the chickens and stated that she thought chickens were included in the livestock definition and residents were not allowed to have livestock unless they owned 2 ½ acres of property.

Mr. Baker stated that was correct but he needed clarification that chickens were considered a part of the livestock definition. He discussed the issue raised concerning chickens and stated that chickens were not technically defined as livestock in any of the City Ordinances. He shared with Council his extensive conversations with Guilford County Planners concerning their experience with this situation and from a planning standpoint they do not define chickens as livestock. Chickens are considered to be poultry. Based on this, if the City wants to eliminate chickens it can be done by adding this language to our Ordinance.

He felt that the issue concerning the pig could be taken care of by the Nuisance Ordinance even though the pig was considered a pet.

Council members and Mr. Baker also discussed the number of dogs identified by Ms. Treadwell, what number of dogs constituted the classification of a kennel, as well as the definition for a kennel. Mr. Baker advised Council that in addition to definition by number, kennels may also be defined as where there is a continuous litter of pups constituting a business to sell puppies to make a profit.

Council member Gantt discussed the zoning of the property where the violation concerning the dogs was located. She referred to the Table of Uses stating that a Special Use is required to operate a kennel in RA zoning. Discussion continued concerning whether one (1) litter of pups could constitute a kennel or a business.

Mr. Baker advised Ms. Treadwell that the City would continue working with her to address the issues she addressed with Council.

Martha Stunda, 5661 Meadowbrook Drive: Ms. Stunda discussed her concern about in-home businesses and advised Council members that several people have spoken with her concerning this. People outside of the City have also spoken with me and asked questions. She stated that she was on the original Planning and Zoning Board when the City came about. We worked with the Council on developing the Ordinances for the City. Ms. Stunda stated that she knew a lot of Ordinances have been changed but this Ordinance has not been changed and knew there were several in home businesses in this City. The Ordinance says that only 25% of the home can be used as a business, nothing outside, and you have to have appropriate parking. She defined in home business uses as sewing, keeping a few children, or something like this. Anything over this makes it non compliant. It was her opinion that whoever issued the permits for businesses that did not fit the criteria were not following the City Ordinance. She asked the Council and the Mayor to follow the ordinances and asked what were Ordinances if they were not followed and why spend time making them.

Ron Chatterton, 4150 County Line Road; Mr. Chatterton discussed the sewer line and how the flow of water was reversed when the line was installed. This caused the water to begin running through his lot and caused his lot to wash away. Mr. Baker had a French drain installed in the front of his property and now it is fine.

He stated that his next door neighbor was still affected by this change. She has the lowest house on the street, but the water never ran through her property until the sewer line was installed. It was his opinion that the reason for this was due to the change in direction of the flow of the water. He advised Council that he had seen water in front of his neighbors from the front of the house since the sewer line was installed

He discussed three (3) driveways that were dug up; concrete (now cracked), blacktop, and crusher run (gravel) and their condition after 5 of 6 years when the installation of the sewer took place. It was his opinion that the black top drive was the driveway in the most disrepair. He felt that the only way to correct the problem of standing water in the neighbor's yard (Ms. Floyd) was to correct the three (3) driveways.

Mr. Chatterton stated that his sewer has been stopped up twice and had to be cleaned out. He discussed sewer stops experienced from other residents in this area and felt there was something in this line causing problems.

Mayor Boyles asked Mr. Baker if he would like to respond to Mr. Chatterton.

Mr. Baker stated that he had a few conversations with Mr. Chatterton. The City did not actually do the repairs to his property. His property was being inundated with water. Davis-Martin- Powell arranged and paid for the repair at an approximate cost of \$6,500.00.

Mr. Baker stated that he had shot the three (3) driveways with a level that were discussed by Mr. Chatterton. From one (1) end of the driveways to the other it is within ¼ of an inch. This equates to only 2/10's of a drop on the entire length of the road. We have made an offer to have Rusty go to this area and use our tractor to correct a good portion of Mr. Chatterton's neighbor's property. This will not alleviate the problem; however we are proposing to have the water flow ¼ inch into the ditch instead of the yard. To alleviate the problem you would have to dig up every driveway tile and NCDOT has indicated they are not interested. Mr. Baker called on Andy Larrick with Davis-Martin- Powell to address this matter further.

Mr. Larrick (DMP) confirmed this area was a part of the Phase 1 project and was completed in early

2004, almost 9 years ago. At the time the project was completed NCDOT and State Erosion inspectors as well as previous staff from the City prior to Mr. Baker that we worked with accepted the project.

This is a very flat stretch of County Line Road and the ditch on Mr. Chatterton's side is very flat. We did go back and looked at our plans for the project that included the pre-construction contours. These indicated the side ditch was very flat in places. When the contractor was dressing up the side ditch after the sewer line was completed they did the best job they could to provide constant drainage for that side of the ditch in order to prevent standing water. As Mr. Baker discussed earlier the ditch could have settled. We did make arrangements for a contractor to come out recently and re-graded the ditch in front of Mr. Chatterton's property. It is our understanding that he is very happy with the results of that work. He advised Council that they would take another look at this area to make sure by making this repair it did not transfer the problem to another neighbor. It was our understanding that everyone was happy following this recent work.

Randy McNeill (DMP) also discussed the effects that a large rain had in this area. It appears that in a normal rain the water stood in the ditches and flowed through the ditches but when a large rain came the water overflowed from the ditches onto private property. Water may have overflowed from the ditches prior to construction. He advised the sewer line in this area was 20 feet deep and the entire area was severely disturbed.

Council member Johnson asked Mr. Baker if this was one (1) of the areas scheduled to be jetted.

Mr. Baker advised Council member Johnson this was one of the areas, and stated for the record that the City does have a record that Mr. Chatterton did complain about this at the very beginning before the project was finalized. That is why I decided to get involved. He had a complaint early in the project and it was not 9 years later. He complained about this problem at the first.

Phillip Chadwell, 4915 Spivey Lane: Mr. Chadwell discussed the following items with Council.

Public Speaking Policy: He stated that he took Mayor Boyles at his word and felt there was no ill intent to modify and create a policy for this. There were three (3) main topics presented in this document and he agreed with two (2) of the three (3). The two (2) he agreed with was preventing persons from talking about their candidacy, and no discussion of subjects under litigation.

He did object to anything that set a limited time period for speaking. While he understood Mayor Boyles attempt to improve what he saw from 15 minutes to 45 minutes he saw no reason to make assumptions that not just this Council, but any Council would always allow a time extension. He discussed the limited number of times that the Public Comment period extended over 45 minutes with this Council.

He proposed that Council accept the first two considerations proposed by Mayor Boyles and remove the time limit altogether.

Discussion at the Pre-Agenda Meeting concerning the committee replacements: He stated that he did not take exception to Ms. Gantt making her request to reverse the decision that Mayor Boyles made. What he took exception to was that there were only five (5) members of Council present and two (2) members tried to make a motion and second, and get to a vote to change public Policy or Ordinance. He asked that all the Council come to an agreement to have a mutual respect for one another, and when there was an important topic that the majority of Council be present, not just the simple majority. It was his opinion for something as important as changing an Ordinance or Policy the greater number should be present.

Kenneth Carico, 4123 Forest Manor Drive: Mr. Carico stated that he had attended the same meeting referred to by Mr. Chadwell. He discussed his feelings in regards to First Amendment Rights, Council's actions at meetings concerning what he identified as Council's agenda, notes, and motions that should not be done.

He was appreciative that the younger people attended the meeting and felt they should get into this government. He stated he had heard lot's of them say they wanted to.

It was Mr. Carrico's opinion that it was hard to get people to come to the meetings, and to oppose people, but he felt that is what resident's are supposed to be doing. We are supposed to be getting along because it is not about sides.

He expressed his concerns about losing his rights under the First Amendment and hoped Council would not infringe on it. He felt that people needed to be able to speak.

He discussed his displeasure with how the Council handled appointments to the committees and felt that good people had been taken off these committees. He stated that "he didn't do politics, dirty games, didn't have an agenda, and what he was doing was from his heart. He had a dream for Trinity and felt that was what we needed, "a dream."

It was his feeling that Council needed to be able to talk and hold discussion with one another and not come with their answers already made. It was his hope that we could get it together so that we could all shine.

I. Reports

1. Action Item Report from January 08, 2013 Pre-Agenda Meeting

Mayor Boyles opened this item and turned it over to the Manager for her report.

Manager Hinson reviewed the following items from the January 08, 2013 Pre-Agenda Meeting:

- Council members Absent: Council members Lambeth and Varner
- Council members Excused early: Council member Lohr excused at approximately 4:25 pm

- **Unfinished Business:**

Appointments to Planning and Zoning Board

Ward 1: James Peace

Ward 2: Rick Ivey

Ward 4: Donald Payne

Appointments to the Infrastructure/ Parks and Recreation Board

Ward 1: Paula Peace

Ward 3: Cale Lister

Ward 4: James Michael Kirkman

- **Funding Requests**

Item # 10. Consideration for Funding in the amount of \$1,000.00 from the Piedmont Triad Wind Ensemble.

After discussion, Council took action by a vote of 4 to 1 to remove this item from the Agenda and not to consider this funding request at this time.

- Additional Items Added to the Agenda
 - Proposed Adopted Rules of Procedure
 - Possible Change in Structure for Committee Appointments
 - Appoint a TAC member to the High Point MPO

Manager Hinson advised members that this concluded her report.

II. Standing Reports

2. Infrastructure Projects Update
A. Phase 4-B Contracts 1

Mr. Baker discussed this project with Council advising them this was a Dellinger project and they are making good progress on this project. He was confident that they would be on time or ahead of schedule on this project and there have not been any major setbacks on this project.

B. Phase 5 Sewer Extensions

Mr. Baker asked Andy Larrick (DMP) to give an update on the standing of this project.

Mr. Larrick advised Council the designs are complete, permit applications have been submitted to various permitting agencies, and the easement acquisition is nearly complete with three (3) outstanding parcels.

Mr. McNeill has been working hard to finalize the Preliminary Engineering Report for this project that is required. We hope to have this document completed in the next couple of weeks.

Our goal is to advertise the project for bids in March and open bids in April.

C. Update on Braxton Craven Road Project

Mr. Baker advised those present that the signature pages and checks were returned to Andy Larrick (DMP) so he could obtain the proper permits. This project should go forward quite rapidly.

Mr. Larrick advised Council that designs are complete, and just a few more parcel easements are outstanding.

Reports

3. Annual Report: Randolph County Economic Development

Mayor Boyles opened this item, welcomed Ms. Renfro and turned the discussion over to her for briefing.

Ms. Renfro presented the Randolph County Economic Development Report for 2012. Topics of highlight from Ms. Renfro's report were as follows:

County's Economy: Ms. Refro categorized the County's economy as still recovering. We have had much good news and positive activities during 2012 but there are still many uncertainties primarily from jobs lost from companies that have either downsized or closed.

Small Business Growth: Some of the things we observed in our office was the growth of smaller businesses. Many of the projects we worked with this year were smaller businesses. This goes well with us as a county because this is the engine of growth both national and locally.

Resurgence of the Furnishings Industries: We continue to see momentum from the furnishing industry. This is one of our legacy sectors. Almost 12% of our counties jobs are still in this sector. As we see the growth across the board of various segments of the furnishing industry it is very positive and hopeful for the future.

Refill of Vacant Buildings: These are vacant buildings that are being used, bought, or leased by new companies.

The results of 2012 were 358 new jobs which will generate when all are completed approximately eleven million dollars (\$11,000,000.00) in annual income. This is an estimate based on the average weekly wage for our county. It will create twenty eight million one hundred thousand (\$28,100,000) dollars in new capital investment from sixteen (16) companies that were located across Randolph County. These projects impacted seven hundred seven thousand, one hundred sixty three (707,163) square feet of real estate and most of that was existing structures that were put to good use. Two (2) of the projects were grant eligible and we are seeking just over two million (\$2,000,000) dollars in grants for infrastructure.

Ms. Renfro shared the following negatives for the year:

There were more jobs reported lost than gained. There were 427 jobs lost this year, 11 closings, 1 restructuring, the largest and highest profile was Hyosung USA in north Asheboro, and Energizer, also located in Asheboro.

60 Minutes Segment Featuring Randolph County

Ms. Renfro discussed the feature that spotlighted Randolph County done by 60 Minutes in October. They spotlighted our communities as an example of one in the nation where a manufacturing loss has really impacted a local community. There were many positive things about that particular segment. Ms. Renfro felt this showed the grit of our people, entrepreneurial ship, people that were not willing to give up that have encountered some hard times as well as communities and towns that have encountered some hard times.

We are trying to use the bad part of the message as leverage to seek assistance and note our being and the positive part of this is to tell our story about our people.

Sewer Infrastructure Grants

Ms. Renfro discussed a new Sewer Infrastructure Grant that will create 70 new jobs in Archdale when completed.

Health Care

A new Regional Center is under construction in Asheboro called Pace that is an all inclusive care facility for medically eligible senior citizens in a three (3) county area including all of Randolph County.

Buildings Filled

Over the three (3) year period of time, more than 2.7 million square feet have been filled and we have the lowest vacancy, constructed, or occupied industrial space in the Piedmont Triad.

Marketing

We are measured as part of the Greensboro, High Point, MSA that includes Randolph, Rockingham, and Guilford Counties. For the sixth consecutive year as the three (3) counties together we were named to the top 10 in the nation for communities of our size. This just showcases some of the marketing activities that we engaged in that year.

Existing Industry Report

An important part of the EDC is to work with our existing industries. We made 186 visits county wide with assisted referrals. Unfortunately of those 186 companies that we saw at some point in the year there was a 4% drop in the number of jobs. Often the challenge in filling jobs is the skill match of the candidates to the needs of that job. We work hard with our partners in the communities to connect jobs and people together.

The outlook for us next year is to continue to aggressively market the sites and buildings we have. For Trinity, that includes the Carrick's Turning Works Facility, the Palmer Truck Terminal, and any other buildings that may become available and that are reusable, to seek to remove barriers that limit building reuse or new construction, to maintain and sustain a partnership with you and the Randolph County Government, to focus on buildings and sites and identifying and sharing those with clients, look for partnerships with our local governments that include the City of Trinity, Randolph County Community College, the Chamber of Commerce across the County, and others.

One of the projects that we worked on early in the year was American Innovation Products. This is a company in Trinity that reoccupied a building located on Trinity Road that had been vacant for a long time. They have had great success and are spotlighted in our written report.

At this time, Ms. Renfro introduced a new team member, Kevin Franklin. He is our new Industry Coordinator who joined the EDC in January after Harry Lane retired at the end of the year.

Mr. Franklin introduced himself and advised Council that prior to this position he had served as Town Administrator for the Town of Ramseur for the past 6 ½ years and prior to that he served on the Town Board. He stated that he had a local government perspective that he brought to this position and understood the issues that were important to local government very well. He told Council that he appreciated the opportunity to work with the businesses located in their community and understood how important that was in retaining jobs.

Mr. Franklin stated that he looked forward to serving the citizens of Randolph County and the citizens of Trinity.

Ms. Renfro concluded her presentation and expressed her appreciation to mayor, council, and staff for their efforts in working with the EDC.

III. New Business

4. Closed Session pursuant to NCGS 143-318.11 (a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations.

Mayor Boyles opened this item and called for a motion to go into Closed Session.

Motion by Council member Frazier to go into Closed Session, seconded by Council member Ayers and approved unanimously by all Council members present at 8:01.

After returning from Closed Session, ***motion by Council member Frazier to return to Open Session, seconded by Council member Ayers and approved unanimously by all Council members present.*** After returning to Open Session, Mayor Boyles advised those present that Council had a statement to share with the citizens of Trinity as a result of the Closed Session and that Council member Bridges will be sharing that statement.

Council member Bridges advised those present that she would like make a motion as a result of the Closed Session. At this time ***Council member Bridges made a motion to schedule a Public Hearing for Economic Incentives for Nova Melt Americas to expand in the City of Trinity by participating through a partnership with Randolph County and this be put on the February 19, 2012 Regular Meeting Agenda. The motion was seconded by Council member Johnson, and approved unanimously by all Council members present.***

Consent Agenda

5. Approve minutes of the November 13, 2012 City Council Pre-Agenda meeting (City Manager)

6. Approve minutes of the November 20, 2012 Regular City Council meeting (City Manager)

7. Approve minutes of the December 11, 2012 City Council Pre-Agenda meeting (City Manager)

8. Approve minutes of the December 18, 2012 Regular City Council meeting (Annette de Ruyter, Assistant City Clerk)

Mayor Boyles advised Council that the City Manager has asked that the Agenda be amended to remove the Consent Agenda Items for future consideration.

Motion by Council member Bridges to approve the agenda with the removal of the Consent Agenda Items, seconded by Council member Johnson, and approved unanimously by all Council members present.

IV. Funding Request

9 . Consideration for a Donation of \$50.00 for the Student Lift Program.

Mayor Boyles opened this item and called on Deputy Eric Wilson for his presentation.

Deputy Wilson thanked the Mayor, Council and the public for giving him the opportunity to share some information with them concerning this program.

Deputy Wilson stated that the Randolph County Sheriff's Office will be participating in a Bowl-A Thon held at the Family Sports Center in Asheboro, NC on February 23, 2013. We feel this is for a great cause and are attempting to raise money for a Get a L.I.F.E. (Learning is for Earning) Program and the Student L.I.F.T. (Leadership Information for Tomorrow) Program.

The Get a L.I.F.E. Program encourages kids to stay in school by demonstrating financial relevance of education, and helps connect them to skilled and technical careers that are available in Randolph County.

It promotes benefits of professional jobs and promotes learning ability required for success.

The City of Trinity currently has 2 students Amanda Clark who is a junior at Trinity High School, and Allison Kaus who is a junior at Wheatmore High that are members of the Student Lift Program. They are here tonight with me and would like to help explain the Student LIFT Program to you.

The students gave a brief presentation defining Student Lift as Student Information for Tomorrow. This program provides 26 high school students with information about Randolph County and gives them the chance to gain valuable leadership skills. The purpose of this program is to show students the opportunity for careers so we will come back to Randolph County after college and be informed, productive, and giving members of the community.

At the beginning of each year participants are asked to pay a \$50.00 fee to help cover costs. This money is not going to go very far because the first session costs the Chamber \$38.00 per student. There are 5 other courses for which transportation must be provided for 26 high school students.

There are typically 2 to 5 students that can't afford the \$50.00 donation per year. If the City of Trinity donates to this program the money could be used for any of these items. This program requires that each of the 26 students must complete a community service program. The students shared the community projects that each of them had planned and advised Council that they would appreciate any donation.

Mayor Boyles stated he felt this was a worthy cause and asked Council members for their opinion. Council member Varner felt this was a great program to participate in and Council member Frazier felt this was a very good presentation and a very worthy cause. She thanked Deputy Wilson.

With no further comments, ***Motion by Council member Varner for a donation of \$ 50.00 to the Student Lift Program, seconded by Council member Frazier and approved unanimously by all Council members present***

V. Other Business from Pre-Agenda

10. Proposed Adopted Rules of Procedure

After Mayor Boyles opened this item, Manager Hinson stated this item was originally scheduled to be discussed at the Retreat. Council member Bridges asked at the Pre-Agenda if this could be discussed tonight since we had a short agenda. At this time Manager Hinson turned discussion over to Council concerning this item.

Mayor Boyles discussed what he had witnessed at the County Commissioners Meetings and advised those present that he had never witnessed the County Commissioners stop the time for Public Speaking even though speaking went much longer than the 15 minute time allotted. This is not in our current proposal. It was his feeling that because Council had the prerogative to extend the 45 minute time limit if they wanted to entertain all who signed up be allowed to speak the time limit was a mute point.

Council member Bridges stated that she liked the current rules that the City has. She discussed what was currently listed on the Agenda and the fact that citizens are asked to address issues that are not on the current agenda during the Public Comment period. She did not see any point in limiting this to 45 minutes. She felt the current policy that allowed each speaker 3 minutes was ample.

She discussed her opinion on how she felt the application of our current policy had shifted somewhat at recent meetings concerning when persons were allowed to speak. At these meeting persons were allowed to speak either at the Public Comment Section or at the Public Hearing but not at both. She did not feel that was the way the current policy was written and that speakers could speak at both.

Council member Bridges was in favor of adding only the section that speakers not be allowed to discuss issues that concern the candidacy of any person seeking public office.

Council member Ayers stated that the Trinity City Council had the right to amend its own policy at any time given over the public commentary at Council meetings but he could see no valid reason for changing the current arrangement and he was opposed to the Mayor's suggestion.

Council member Johnson discussed his feelings regarding a time limit and stated he was willing to stay as long as anyone wanted to talk. He stated that he would like to see the change regarding candidacy for office incorporated into the current policy. Candidates for office should not be allowed to address Council at our meetings. There are other forums for that. It was his opinion City meetings were for conducting City business and not for candidates running for office.

Council member Lambeth agreed with Council member Johnson.

Council member Varner felt that a person should not be allowed to discuss their own independent candidacy. She did not feel that someone's right should be limited from speaking about another's candidacy. She felt that the policy proposed needed to be clearer in regards to addressing candidacy.

There was discussion between Council members regarding limitations regarding speaking for or against candidacy. Council member Varner felt that Council should not limit speakers rights that wished to address what members of Council did and what members stand for.

Council member Gantt discussed her feelings concerning how many times a person should be allowed to speak. She agreed with other Council members that felt we should keep what we currently have and add the section not to allow speakers to address Council concerning candidacy.

Mayor Boyles discussed his conversation at the Pre-Agenda Meeting at which time he advised Council members this was a suggestion that came from the Randolph County Policy. Council has the option to adopt the proposed policy, merge it, or stay with the current policy.

Council member Bridges made a motion to keep the current policy with the addition of "Speakers should not discuss issues that concern the candidacy of any person seeking public office."

Prior to the vote, Council member Johnson discussed the final sentence concerning matters of litigation and felt that Council should not be speaking in public on things regarding litigation. There was a brief discussion concerning this item and it was the general consensus of Council that litigation was not discussed currently in public and that it would not change and saw no need to add the final sentence regarding litigation as shown in the proposed policy.

At this time, Council member Frazier seconded the motion made by Council member Bridges.

For clarification Manager Hinson stated the motion for the record as follows:

The policy that the City currently has remains in effect with the addition of "Speakers should not discuss issues that concern the candidacy of any person seeking public office."

After the reading of the motion, Mayor Boyles called for a vote. ***The motion as stated and seconded by Council member Frazier was approved 7 to 1 with Council member Varner voting nay.***

11. Change Structure for Committee Appointments

After Mayor Boyles opened this item, Manager Hinson advised those present that this item was discussed at the Pre-Agenda Meeting. The discussion involved the possibility of restructuring the way the committee appointments to the Finance and Personnel Committee were made. Council currently makes appointments to all of the remaining City Boards with the exception of these two (2) committees. The structure currently followed by the City is for the Mayor to appoint committee members to these two (2) committees. Manager Hinson turned this item over to Council members for discussion.

At this time, Council member Lohr discussed the length of time that he had been coming to City Hall and his lack of knowledge of staff or management on his first visit.

He discussed his feelings concerning the prior Council and it was his opinion that there was feeling of arrogance with some members of that Council. He felt the Alcohol Issue was a disgrace and discussed his feelings on comments made by some of those same Council members to the 20 residents who spoke against this issue.

Council member Lohr shared his feelings concerning negative comments that had been made about him to residents in his community by prior management, prior Mayor, and current Council member Johnson.

At this time Council member Johnson advised Council member Lohr that he had never made any derogatory remarks concerning him.

Council member Lohr continued to express his opinion and feelings on what he felt happened prior to the election and during the campaign period concerning negative comments that were made against him, and the fact that he was not congratulated on his win by any of the older members of Council after the election. He asked why negative comments concerning his decision to seek election and become a part of the City were made to residents in his community and why did some members of the prior administration and Council not want him to succeed in this effort.

He expressed his feelings as well as the feelings of some residents that had been shared with him concerning what they felt was excessive spending by prior administration and Council. This included large salary increases and the methods involved in determining a salary contract for prior City Manager as well as the costs involved with that contract.

It was Council member Lohr's feeling that until an apology was made to the residents for what he felt was excessive spending and for the items he had discussed he could not accept the appointment made by Mayor Boyles to serve on a committee with Council member Johnson.

At this time, there was a brief discussion between Mayor Boyles, Council member Lohr, and Council member Frazier concerning the possibility of switching their appointments. Council member Lohr advised Mayor Boyles that he would be willing to switch if that would make the City work. Council member Frazier advised the Mayor that she would discuss the committee change later.

After a brief discussion between Council members regarding the need or desire for further discussion on this item, Council member Bridges stated she was fine with leaving the structure for Committee Structure as it is. ***With no further discussion, motion by Council member Bridges to leave the Committee***

Structure the way it is, seconded by Council member Varner, and approved unanimously by all Council members present.

Manager Hinson asked if the two appointments were being changed that was discussed earlier of if this stays as is.

Council member Frazier advised the Manager that the appointments were not changing at this time and stayed as it is at this time.

12. Appoint TAC Member for High Point MPO

Mayor Boyles opened this item to Council for discussion and/or appointment to this committee.

Manager Hinson advised Council members that normally the Mayor is the person appointed to this position by Council. The TAC (Transportation Advisory Committee) is a policy body that works under the High Point Metropolitan Planning Organization. This appointment is done by Council members at your pleasure.

There was discussion between Council member Frazier, Council member Lambeth, and Manager Hinson concerning the city's current representative, and the length of the term for this appointment.

Manager Hinson advised Council members that the Mayor currently held this position and the appointment term was for 1 year.

There was further discussion between Council member Lambeth and Mayor Boyles concerning his desire to continue as the representative for the City.

Mayor Boyles advised Council members that he had no problem serving on this committee. His pleasure was to work for Council and all the citizens of the City.

He discussed accomplishments that had been made with the Department of Transportation as a result of communication through conversation with their representatives.

Since that time we have gotten some of our major thoroughfares paved with asphalt rather than gravel and tar.

Mayor Boyles challenged the Council to continue negotiations with the Department of Transportation by meeting when needed and through correspondence through e-mails when needed in an effort to make them receptive to the needs of Trinity.

Motion by Council member Lambeth to allow Mayor Boyles to be the TAC appointment member, and seconded by Council member Johnson.

Prior to the vote, Mayor Boyles discussed the TCC Committee that met prior to the TAC Committee. He advised members that Adam Stumb had been the City's representative.

Council may appoint a representative to this committee as well to fill Adam's position on this committee if they wished to do so.

Council member Ayers asked Mayor Boyles to give a brief description of what this committee did.

Mayor Boyles discussed the duties of this community stating that this committee was basically an MPO that looked at all the transportation needs in our MPO region and prioritizes the projects.

Council member Lambeth discussed how previously Council had prioritized streets. Our representative will take our list and submit it on our behalf to the committee for consideration.

The motion and second to appoint Mayor Boyles as the TAC representative for the City of Trinity was *approved unanimously by all Council members present.*

VI. Business from City Manager and Staff

Manager Hinson reviewed the following items with Council:

- Due to a change in the schedule and the need for a Public Hearing, the January 22, 2013 meeting of the Planning Board will be held February 05, 2013 at 7:00 pm. This meeting will take place prior to the Joint Meeting between the Planning/Zoning Board and Infrastructure/Parks and Recreation Committee on the same night of February 05, 2013.
- The Joint Meeting with the Planning Board/Infrastructure/Parks and Recreation Committee for February 05, 2013 will be held directly following a Planning Board Meeting that has been scheduled for the same date at 7:00 pm
- . The purpose of the Joint meeting is to discuss our Capital Improvement plan to see what ideas the current members and new members can bring that might be added to this plan and discussed at the Annual Retreat if completed
- The newly appointed or reappointed members will be sworn in at their next meeting. Members for the Planning Board will take office on January 22, 2013 and members for the Infrastructure will take office on February 05, 2013.

Planning/Zoning Report

Mr. Baker began the Planning/Zoning Report and stated that some of the items on this list are follow up items from Mr. Stumb as well as items that he had received since Mr. Stumb left. This report covers a portion of December and January to date.

- There have been three (3) septic permits issued for septic repairs.
- There has been eight (8) Zoning Permits issued. These permits consist of three (3) new homes, three (3) accessory structures, one (1) addition, and one (1) for repairs and upscale renovations for Commercial Property in the Turnpike Industrial Park in the building previously occupied by Powder Works.
- Mr. Baker discussed with Council interest that had been expressed for two (2) other properties as well as a set of plans to review for Jowat who is looking at another expansion.
- There has been no action taken at this time on code enforcement. He advised members that he would be visiting the location discussed by Ms. Treadway this week to take care of some of the action items listed that need to be done by issuance of the official 10 day notice.

Council member Frazier questioned a violation listed on Prospect Street and asked for the location of the

property. Mr. Baker told Council member Frazier this violation was from a previous list created by Mr. Stumb in mid December and that he needed to pull the files for follow up.

There was a brief discussion between Manager Hinson, Mr. Baker, and Council members concerning the property listed on Trinity Road and whether this was the same property that Council member Frazier and Mr. Stumb had discussed at an earlier meeting. Mr. Baker acknowledged this was the same property.

Manager Hinson discussed her attempts to contact the County regarding this property and indicated that she had not received a response from the County thus far. Mr. Baker stated that he would follow up on this issue for the Manager.

VII. Business from Mayor

Mayor Boyles thanked those present at the meeting that stayed for the entire meeting and for us being able to see a very positive thing that happened for the City of Trinity on this business expansion.

VIII. Business from Council

Council member Lohr extended his apology to any citizen that he may have offended and advised residents to call him and he would return their call. He stated that "he loved this City and it was a good place to call home."

He thanked Council member Varner for taking a strong stand on the trucking issue and discussed her request to allow any citizen that came to this town and owned 2 ½ acres of property to own a truck even though it was defeated. Council member Lohr concluded his comments with a thank you to everyone.

Council member Ayers asked Manager Hinson about the status of the retention pond next to Smokey T's BBQ.

Manager Hinson stated that the owner would be required to complete this pond at his own expense since the Grant did not move forward due to some difficulty with the owner meeting the funding requirements required in the Grant. She asked Mr. Baker to brief Council on the status of this project since the Grant was no longer available.

Mr. Baker agreed with the Manager's comments concerning the owner's ability to meet the funding requirements for the owner to qualify for the Grant. Therefore, the grant has expired and the owner will now be held responsible for the entire amount.

He stated that he was planning to meet with the owner this week and soon after that formal meeting, the owner will be receiving a letter of violation from the City with a 90 day time limit to install the pond. It is unfortunate that this grant did not work out. The City tried everything possible to make this work for this business.

IX. Adjournment

With no other business to discuss, *motion by Council member Frazier to adjourn the January 15, 2013, meeting, seconded by Council member Lohr, and approved unanimously by all Council members present.*

These minutes were approved with corrections by the Trinity City Council on February 19, 2013 at their Regular Meeting upon motion by Council member Frazier. The motion was seconded by Council member Bridges and approved unanimously by all Council members present. Council member Ed Lohr was absent.

All corrections are included in these minutes.

Carlton Boyles, Mayor

Debbie Hinson, City Clerk/City Manager